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Total Number of Pages in This Submission

12

Application Number

10/523,422

Filing Date

October 6, 2005

First Named Inventor

Burli, Roland W.

Art Unit

1614

Examiner Name

Attorney Docket Number

020891-001411US

ENCLOSURES (Check all that apply)

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References Cited (107)
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Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

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William B. Kezer

Date

March 23, 2006

Reg. No.

37,369

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TOWNSEND and TOWNSEND and CREW LLP

By: Marta Vaneas

PATENT

Attorney Docket No.: 020891-001411US

Client Ref. No.: GSFT014-PCT/US-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Bürli, Roland W. et al.

Application No.: 10/523,422

Filed: October 6, 2005

For: BIARYL COMPOUNDS HAVING
ANTI-INFECTIVE ACTIVITY

Examiner:

Art Unit:

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the foreign patent and of the non-patent references [in compliance with the requirements of 37 CFR §1.98(a)(2)] are enclosed herewith.

Also enclosed is a copy of the International Search Report for the corresponding International Application No. PCT/US03/24294.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

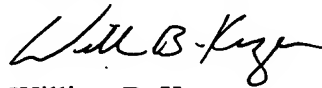


representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



William B. Kezer
Reg. No. 37,369

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WBK:mrv



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 8

Complete if Known

Application Number	10/523,422
Filing Date	October 6, 2005
First Named Inventor	Bürli, Roland W.
Art Unit	
Examiner Name	
Attorney Docket Number	020891-001411US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US- 3,622,574	11-1971	Wright et al.	
	2	US- 4,738,980	04-1988	Arcamone et al.	
	3	US- 4,766,142	08-1988	Arcamone et al.	
	4	US- 4,800,211	01-1989	Tischler et al.	
	5	US- 4,912,199	03-1990	Lown et al.	
	6	US- 5,017,599	05-1991	Lazzari et al.	
	7	US- 5,049,579	09-1991	Lazzari et al.	
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	10	US- 5,395,849	03-1995	Wittman et al.	
	11	US- 5,472,976	12-1995	Animati et al.	
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	14	US- 5,616,606	04-1997	Lown et al.	
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	17	US- 5,753,629	05-1998	Beria et al.	
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	21	US- 5,844,110	12-1998	Gold	
	22	US- 5,852,011	12-1998	Matsunaga et al.	
	23	US- 5,998,140	12-1999	Dervan et al.	
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	25	US- 6,143,901	11-2000	Dervan	
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	29	US- 6,555,693	04-29-2003	Ge et al.	
	30	US- 6,566,393 B1	05-20-2003	Lee et al.	
	31	US- 6,586,561 B1	07-01-2003	Litt et al.	
	32	US- 2003-0199516-A1	10-23-2003	Moser et al.	
	33	US- 2003-0211508-A1	11-13-2003	Ge et al.	
	34	US- 2003-0236198-A1	12-25-2003	Bürli et al.,	
	35	US- 6,716,866 B2	04-06-2004	McMinn et al.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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				Art Unit	
				Examiner Name	
Sheet	2	of	8	Attorney Docket Number	020891-001411US

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	36	US- 6,777,425	08-17-2004	Bürli et al.,	
	37	US- 6,825,228	11-30-2004	Bürli et al.	
	38	US- 2005-0004042-A1	01-06-2005	Hu et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵				
	39	DE	199 20 936	A1	11-09-2000	BASF A.G.		
	40	GB	2 310 207	A	02-15-1996	Pharmacia & Upjohn S.p.A.		
	41	JP	08-027146	A	10-15-1996	Mitsui Toatsu Chem. Inc.		
	42	JP	08-269008	A	10-15-1996	Mitsui Toatsu Chem. Inc.		
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	44	JP	11-189594	A	07-13-1999	Mitsui Chem. Inc.		
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	46	WO	93/13739	A2	07-22-1993	Menarini Industrie Farmaceutiche Reunite S.R.L.		
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	50	WO	97/03957	A1	02-06-1997	Pharmacia & Upjohn S.P.A.		
	51	WO	97/25351	A2	07-17-1997	Leukosite, Inc.		
	52	WO	97/28123	A1	08-07-1997	Pharmacia & Upjohn S.P.A.		
	53	WO	98/21202	A1	05-22-1998	Pharmacia & Upjohn S.P.A.		
	54	WO	98/35702	A1	08-20-1998	California Institute of Technology		
	55	WO	98/37066	A1	08-27-1998	California Institute of Technology		
	56	WO	98/37067	A1	08-27-1998	California Institute of Technology		
	57	WO	98/37087	A1	08-27-1998	California Institute of Technology		
	58	WO	98/43663	A1	10-08-1998	The Scripps Research Institute		
	59	WO	98/45284	A1	10-15-1998	California Institute of Technology		
	60	WO	98/49142	A1	11-5-1998	California Institute of Technology		

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				First Named Inventor	Bürli, Roland W.
				Art Unit	
				Examiner Name	
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FOREIGN PATENT DOCUMENTS								
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		Country Code ³	Number ⁴	Kind Code ⁵				
	61	WO	98/50582	A1	11-12-1998	California Institute of Technology		
	62	WO	98/52614	A2	11-26-1998	The Board of Trustees of the Leland Stanford Junior University		
	63	WO	99/00364	A1	01-07-1999	Pharmacia & Upjohn S.P.A.		
	64	WO	99/25686	A1	05-27-1999	Teijin Limited		
	65	WO	99/27939	A1	06-10-1999	The Government of the U.S.A.		
	66	WO	99/41367	A1	08-19-1999	Merck Patent GmbH		
	67	WO	99/50265	A1	10-07-1999	Pharmacia & Upjohn S.P.A.		
	68	WO	99/50266	A1	10-07-1999	Pharmacia & Upjohn S.P.A.		
	69	WO	99/62890	A1	12-09-1999	Pfizer Products Inc.		
	70	WO	99/64413	A1	12-16-1999	Pharmacia & Upjohn S.P.A.		
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	73	WO	00/15209	A2	03-23-2000	The Scripps Research Inst.		
	74	WO	00/15773	A2	03-23-2000	California Institute of Technology		
	75	WO	00/40605	A2	07-13-2000	Genesoft, Inc.		
	76	WO	00/69432	A1	11-23-2000	Teijin Limited		
	77	WO	01/10439	A1	02-15-2001	Teijin Limited		
	78	WO	01/19792	A1	03-22-2001	Genelabs Technologies, Inc.		
	79	WO	01/21615	A1	03-29-2001	Yamanouchi Pharmaceutical Co., Ltd.		
	80	WO	01/74898	A2	10-11-2001	Genesoft, Inc.		
	81	WO	01/96313	A1	12-20-2001	The Scripps Research Institute		
	82	WO	02/00650	A2	01-03-2002	Genelabs Technologies, Inc.		
	83	WO	02/088119	A1	11-07-2002	Genesoft, Inc.		
	84	WO	02/101073	A2	12-19-2002	Genesoft, Inc.		
	85	WO	04/012736	A1	02-12-2004	Genesoft Pharmaceuticals, Inc.		

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/523,422
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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	86	ARCAMONE, F. et al., "Synthesis, DNA binding and antiviral activity of distamycin analogues containing different heterocyclic moieties." <i>Anti-Cancer Drug Design</i> , 1:235-244 (1986).		
	87	BAILLY, C. and J.B. Chaires, "Sequence-specific DNA minor groove binders. Design and synthesis of netropsin and distamycin analogues." <i>Bioconj. Chem.</i> , 9(5):513-538 (1998).		
	88	BAIRD, E.E. and P.B. Dervan, "Solid phase synthesis of polyamides containing imidazole and pyrrole amino acids." <i>J. Am. Chem. Soc.</i> , 118:6141-46 (1996).		
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	91	BERGE, S.M., et al, "Pharmaceutical Salts", <i>J. Pharm. Sci.</i> , 66:1-19 (1977)		
	92	BILDER G. et al., "Restenosis following angioplasty in the swine coronary artery is inhibited by an orally active PDGF-receptor tyrosine kinase inhibitor, RPR101511A." <i>Circulation</i> , 99(25):3292-99 (1999)		
	93	BOGER, D.L. et al., "A simple, high-resolution method for establishing DNA binding affinity and sequence selectivity." <i>J. Am. Chem. Soc.</i> , 123:5878-91 (2001)		
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	95	BREMER, R.E. et al., "Recognition of the DNA minor groove by pyrrole-imidazole polyamides: comparison of desmethyl- and n-methylpyrrole." <i>Bioorg. Med. Chem.</i> , 8:1947-55 (2000).		
	96	BRUCE, Thomas C. et al., "Rational design of substituted tripyrrole peptides that complex with DNA by both selective minor-groove binding and electrostatic interaction with the phosphate backbone." <i>Proc. Natl. Acad. Sci. USA</i> , 89:1700-04 (1992)		
	97	CHIARINO, D. et al., "Synthesis of new isoxazole aminoalcohols." <i>J. Heterocyclic Chem.</i> , 25(1):337-342 (1988)		

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NON PATENT LITERATURE DOCUMENTS				
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	98	CHOUDHURY, G.G. et al., "Involvement of PKC-alpha in PDGF-mediated mitogenic signaling in human mesangial cells." <i>Am. J. Physiol.</i> , 265(5 Pt 2):F634-42 (1993)		
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	102	EL-NAGGAR, A.M. et al., "Synthesis of some 2-thenoyl-, 5-bromo-2-thenoyl- and 5-nitro-2-thenoylamino acid derivatives and their antimicrobial activity." <i>J. Indian Chem. Soc.</i> , LIX:783-786 (1982).		
	103	FENWICK et al., "Solid-phase synthesis of cyclic alkoxyketones, inhibitors of the cysteine protease cathepsin K." <i>Bioorg. Med. Chem. Lett.</i> , 11:195-98 (2001).		
	104	FLOREANCIG, P.E. et al., "Recognition of the minor groove of DNA by hairpin polyamides containing alpha-substituted-beta-amino acids." <i>J. Am. Chem. Soc.</i> , 122:6342-50 (2000).		
	105	GOODSELL D. and R.E. Dickerson, "Isohelical analysis of DNA groove-binding drugs." <i>J. Med. Chem.</i> , 29(5):727-33 (1986)		
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	108	HANDLER, J.A. et al., "Mitogenic signaling by epidermal growth factor (EGF), but not platelet-derived growth factor, requires arachidonic acid metabolism in BALB/c 3T3 cells. Modulation of EGF-dependent c-myc expression by prostaglandins." <i>J. Biol. Chem.</i> , 265(7):3669-73 (1990)		
	109	HELDIN C.H. and B. Westermarck, "Mechanism of action and in vivo role of platelet-derived growth factor." <i>Physiol. Rev.</i> ; 79(4):1283-316 (1999)		

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Sheet	6	of	8	Attorney Docket Number	020891-001411US

NON PATENT LITERATURE DOCUMENTS				
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	110	HERMAN, D.M. et al., "Cycle Polyamide Motif for Recognition of the Minor Groove of DNA." <i>J. Am. Chem. Soc.</i> , 121(6):1121-29 (1999)		
	111	KELLY, J.J. et al., "Binding site size limit of the 2:1 pyrrole-imidazole polyamide-DNA motif." <i>Proc. Natl. Acad. Sci. USA</i> , 93:6981-85 (1996)		
	112	KHALAF, A.I. et al., "The synthesis of some head to head linked DNA minor groove binders." <i>Tetrahedron</i> , 56:5225-39 (2000)		
	113	KOPKA, M.L. et al., "Defining GC-specificity in the minor groove: side-by-side binding of the di-imidazole lexitropsin to C-A-T-G-G-C-A-T-G." <i>Structure</i> , 5(8):1033-46 (1997).		
	114	MACHON, Z. and S. Ryng, "Synthesis and biological properties of 5-benzoylamino-3-methyl-4-isoxazolocarboxylic acid derivatives." <i>Arch. Immunol. Ther. Exp. (Warsz.)</i> , 29(6):813-21 (1981)		
	115	MATSUBA, Y. et al., "A novel synthetic DNA minor groove binder, MS-247: antitumor activity and cytotoxic mechanism." <i>Cancer Chemo. Pharm.</i> , 46:1-9 (2000)		
	116	MATSUMOTO, T. et al., "Synthesis of sulfonamido oligo-N-methylpyrrole-carboxamide derivatives and their photochemical DNA cleaving activities." <i>Heterocycles</i> , 33(1):135-138 (1992)		
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/523,422
				Filing Date	October 6, 2005
				First Named Inventor	Bürli, Roland W.
				Art Unit	
				Examiner Name	
Sheet	7	of	8	Attorney Docket Number	020891-001411US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	123	PLESCIA, S. et al., "3 α -hydroxysteroid dehydrogenase inhibitory activity of some N(3)-(1-R-4-carboxypyrazol-5-yl)-1,2,3-benzotriazin-4(3H)-one and quinazoline-4(3H)-one acids." <i>Il Farmaco</i> , 49(7,8):505-07 (1994)		
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	136	WADE, W.S. et al., "Design of peptides that bind in the minor groove of DNA at 5'-(A,T)G(A,T)C(A,T)-3' sequences by a dimeric side-by-side motif." <i>J. Am. Chem. Soc.</i> , 114(23):8783-94 (1992)		
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